

SALVATION ARMY DIVISION CAMP AND RETREAT CENTER

APPENDIX F

Listing of Mussey Grade Road on the California Register of Historical Resources

*Prepared by Dianne Jacob,
San Diego County Board of Supervisors
December 12, 2000*



DIANNE JACOB

CHAIRWOMAN
SUPERVISOR, SECOND DISTRICT
SAN DIEGO COUNTY BOARD OF SUPERVISORS

DEC-5 A 8:54

DATE: December 12, 2000
TO: Board of Supervisors
RE: Listing Mussey Grade Road on the California Register of Historical Resources

Summary:

Approval of this item would express the Board's support for listing Mussey Grade Road on the California Register of Historical Resources.

Recommendation:

CHAIRWOMAN JACOB

Direct the Chief Administrative Officer to draft a letter for the Chair's signature to the State Office of Historic Preservation expressing the Board's support for listing Mussey Grade Road on the California Register of Historical Resources.

Fiscal Impact:

This action will result in no cost to the County.

Background

Mussey Grade Road, located in the community of Ramona, California, is a 5.3 mile winding two-lane paved road that travels through an interior live oak habitat. There is evidence that the route which Mussey Grade Road follows was used in the past by the members of a Kumeyaay tribal village which was submerged by Lake San Vicente.

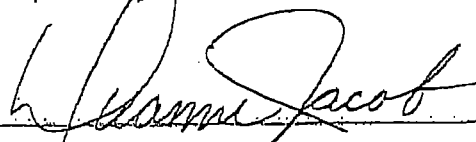
Mussey Grade Road was built by the County of San Diego in 1886 as an alternative to the Atkinson Brothers' toll road and served as the primary link between the City of San Diego and the back country. The road was used to travel routes east to the desert and for transporting provisions, mail, and

travelers to the communities of Ramona and Julian. In 1926, the road received its first layer of concrete and in the mid-1930s, an elaborate system of concrete culverts, believed to have been constructed by WPA work crews, were built to prevent the flooding of the road by San Vicente Creek.

In the early 1940s, the road was used to bring equipment and supplies to the San Vicente Reservoir construction site. In 1943, the road ceased to be a thoroughfare as the lower portions of the road were covered by the San Vicente Lake. Today, the remaining segments of the road serve as a scenic corridor which provides access to the homes and ranches located along Mussey Grade Road.

The Mussey Grade Road Alliance has recently submitted an application to the State Office of Historic Preservation requesting that the road be listed on the California Register of Historical Resources. Because of the important cultural and historic significance of Mussey Grade Road, I urge you to join me in supporting the efforts to list Mussey Grade Road on the California Register of Historic Resources.

Respectfully Submitted,

A handwritten signature in cursive script, reading "Dianne Jacob", written over a horizontal line.

DIANNE JACOB
Chairwoman

SUPERVISORIAL DISTRICT: District 2

COUNTY COUNSEL APPROVAL: Form and Legality ☐ Yes ☐ N/A
[] Resolution ☐ Standard ☐ Ordinance

CHIEF FINANCIAL OFFICER/AUDITOR REVIEW: ☐ Yes ☒ N/A
4 VOTES: ☐ Yes ☒ No

CONTRACT REVIEW PANEL: ☐ Approved ☒ N/A

CONTRACT NUMBER(S):

PREVIOUS RELEVANT BOARD ACTION:

BOARD POLICIES APPLICABLE:

~~CITIZEN COMMITTEE STATEMENT:~~

CONCURRENCE(S):

ORIGINATING DEPARTMENT: Supervisor Dianne Jacob, District Two

CONTACT PERSON: Mike Kulis 531-5522

December 12, 2000

MEETING DATE

**RICHARD L. CARRICO
HISTORIAN
14635 MUSSEY GRADE ROAD
RAMONA, CALIFORNIA 92065
760-789-3114**

Knox Mellon
State Office of Historic Preservation
1416 9th Street
Room 1442-7
Sacramento, California
95814

Re: Nomination of Mussey Grade Road, San Diego County California for Listing on the
California Register of Historical Resources

Dear Dr. Mellon:

This letter is being sent to you to notify your office of my intent to nominate the historic and scenic Mussey Grade Road for listing on the California Register of Historic Resources. The attached forms and documents were provided to the County of San Diego as both the owner of the resource and as the certified local government. The Board of Supervisors endorsed and supported this nomination. Supervisor Dianne Jacob has been very supportive of the nomination and ensured that the full Board had an opportunity to review and approve the proposed action.

The following information is provided as background and to establish the significance of the resource.

Location and Setting:

Mussey Grade Road, a County of San Diego owned and maintained road, is located in the central portion of San Diego County within the community of Ramona, California. The 5.3 mile road is a winding two-lane paved road that travels through a scenic interior live oak habitat. With the construction of San Vicente Reservoir in the 1940s the lower portion of the road was flooded and is currently a dead end route that serves several local neighborhoods along its route. With more than 100 years of use and service, Mussey Grade Road continues to service the residents of the area between San Vicente Reservoir and Highway 67.

Significance:

The significance of Mussey Grade Road is that: 1). It is associated with events that have made a significant contribution to the broad patterns of local (Ramona/Julian) and regional (San Diego County) history and 2). It is associated with the lives of persons important to local, California, or national history.

Within the overall theme of Regional Transportation, Mussey Grade Road is a substantial and significant resource. Interviews with local members of the Kumeyaay tribes at Barona and Mesa Grande Reservations indicated that prehistoric and early historic Native Americans used the route now traveled by Mussey Grade road as a travel corridor between the lower elevations of the San Diego River and upper reaches of Santa Maria Creek near Ramona and on to Julian. Informants reported large villages at the base of the road near present day Lakeside and in the foothills near Pamo Valley. The presence of a major recorded Kumeyaay village in the valley now submerged by Lake San Vicente (Carrico and Cooley 1995) and an archaeologically documented village in the Santa Maria Valley confirms the Kumeyaay informants' statements. In addition, the presence of numerous temporary prehistoric camps adjacent to Mussey Grade Road indicates that the valleys traversed by the road were heavily used in prehistoric times.

Constructed by the County of San Diego in 1886 as an alternative to the Atkinson's Brothers' toll road, Mussey Grade served as the primary link between the city of San Diego and the back country bringing provisions, mail, and travelers to the communities of Ramona, Julian, Warner's and to travel routes east to the desert. Several early diaries and travelogues note the arduous trips from San Diego via the Mussey Grade Road.

With the construction of the Lakeside and San Diego Railroad to its terminus at Foster's, just below the present San Vicente Dam, travelers and supplies were off loaded from the train, transferred to horse drawn wagons and then transported to Ramona and the interior by way of Mussey Grade Road. In 1926 the narrow dirt road received its first layer of concrete; the days of the automobile and motorized truck transport had arrived. In spite of the paved improvements, San Vicente Creek would occasionally flood across the narrow road cutting off the communities it served. An elaborate system of concrete culverts were constructed in the mid-1930s and some carry a stamped date of 1937. While not firmly documented, it would appear that the culverts were built by WPA work crews as part of county road improvement projects.

With construction of San Vicente Reservoir, one of San Diego's major water reservoirs, in the early 1940s, the road served as a northern access route to bring equipment and supplies to the construction site. In 1943, the road ceased to be a thoroughfare and soon the lower portions of it faded from memory beneath the rising waters of San Vicente Lake. The remaining segments (5.3 miles) of road were resurfaced with asphalt in the 1950s.

For many years the road provided easy access to the lake and served a role in the development of Danny's Fishing Village and the small resort that sprang up between the community of Fernbrook and the water's edge. When access to the northern portion of the lake was terminated and restricted to the Lakeside entrance on the south, the fishing village lost much of its clientele although Fernbrook

remained a vital community. Today the road serves as a scenic corridor for residents who live in home and ranches on either side of Mussey Grade as well as the sole access to Dos Picos County Park, a heavily used local park. The oak canopy and understory coupled with the winding road, where traces of the old concrete road bed peek out from beneath the asphalt, serve as a reminder of the rich history and importance of this travel corridor.

Mussey Grade Road remains an important cultural and historical element of the rural country side. The local community supports nomination of this resource and the Ramona Community Planning Group, an elected body that represents the larger community as a whole, also supports the nomination. Letters of support from these groups are attached.

In light of more recent efforts of the State to recognize highways and roads as important historical resources and landmarks, I would hope that this nomination is seen favorably by the Commission. I will, of course, make plans to attend the Commission meeting on the appointed date that this matter may be heard. In the meantime, if you, or your staff, have any questions regarding this nomination, or require additional information, please do not hesitate to contact me.

Best regards,



Richard L. Carrico
Historian

Enc. State Of California Form DPR 523
Letters of Support from the San Diego County Board of Supervisors, Mussey Grade Road Alliance, and the Ramona Community Planning Group

State of California — The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
PRIMARY RECORD

Primary #:

HRI #:

Trinomial:

NRHP Status Code:

Other Listings:

Review Code:

Reviewer:

Date:

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Resource Name or #: Mussey Grade Road

P1. Other Identifier: Foster Road

P2. Location: ☐ Not for Publication ☒ Unrestricted

and (P2b and P2c or P2d. Attach a Location Map as necessary.)

a. County: San Diego

b. USGS 7.5' Quad: San Pasqual and San Vicente Reservoir

Date: 1954 and 1955 PR 1988 and 1971

T ; R ;

¼ of ¼ of Sec 31, 36, 1, 6, 7, 18, 19 ; San Bernardino B.M.

c. Address:

City: Ramona

Zip 92065:

d. UTM: Zone 11 ; NAD 1927 ; 508000 mE/ 3652020 mN

508480 mE/ 3644120 mN

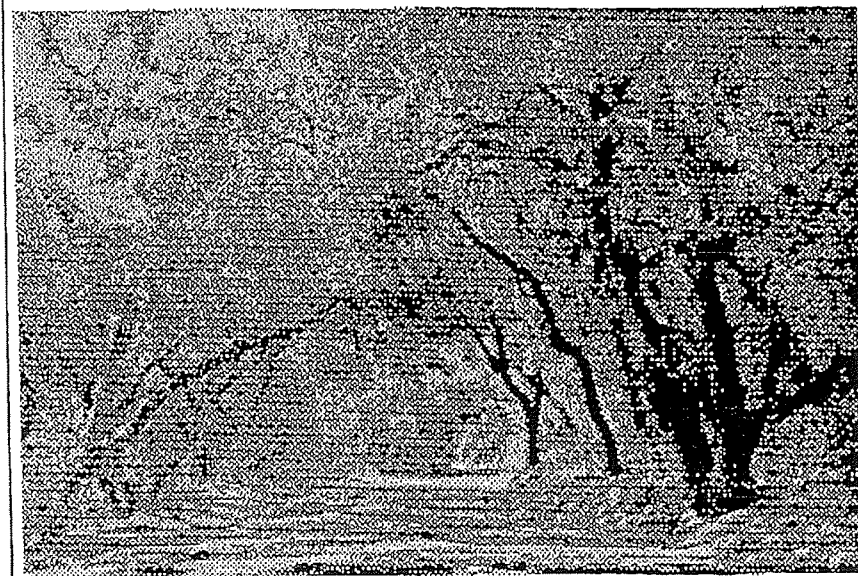
e. Other Locational Data (e.g., parcel #, directions to resource, elevation, etc., as appropriate): The road runs south from S.R. 67 to the terminus at San Vicente Reservoir

P3a. Description: A winding, two-lane, asphalt paved road running through an interior live oak habitat. The road was originally an unpaved road dating back to the 1880s. It was paved with concrete in 1926, and asphalt paved over the concrete in the 1950's. Several historic buildings and bridges/culverts are associated with the road.

P3b. Resource Attributes (List attributes and codes): AH7, AH15,

P4. Resources Present: ☐ Building ☒ Structure ☐ Object ☐ Site ☐ District ☐ Element of District ☐ Other (Isolates, etc.)

P5a. Photograph or Drawing (Photo required for buildings, structures, and objects)



P5b. Description of Photo (View, date, accession #):

P6. Age and Sources: ☒ Historic
☐ Prehistoric ☐ Both

P7. Owner and Address:
County of San Diego

P8. Recorded by (Name, affiliation, and address):

Richard L. Carrico
Mooney & Associates
9903-B Businesspark Avenue
San Diego, CA 92131

P9. Date Recorded: 24 February 2000

P10. Survey Type (Describe): Pedestrian

P11. Report Citation (Cite survey report and other sources, or enter "none"):

Attachments: ☐ NONE ☒ Location Map ☐ Sketch Map ☒ Continuation Sheet ☒ Building, Structure, and Object Record
☐ Archaeological Record ☐ District Record ☒ Linear Feature Record ☐ Milling Station Record ☐ Rock Art Record
☐ Artifact Record ☐ Photograph Record ☐ Other (List):

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Resource Name or #: Mussey Grade Road

L1. **Historic and/or Common Name:** Foster Road

L2a. **Portion Described:** ☒ Entire Resource ☐ Segment ☐ Point Observation **Designation:**

b. **Location of point or segment** (Provide UTM coordinates, legal description, and any other useful locational data. Show the area that has been field inspected on a Location Map): UTM location at the Intersection of S.R. 67, N 3652020, E 508000, UTM location at the dead end at San Vicente Reservoir, N 3644120, E 508480

L3. **Description:** A winding, two-lane, asphalt paved road. The road was originally an unpaved and dates back to the 1880s, when it was built by the County as an alternative to the Atkinson's brothers toll road. The road was vital to the communities of Ramona and Julian, as it was the way that provisions, mail, and travelers were transported from San Diego. It was paved with concrete in 1926, and asphalt was laid over the concrete in the 1950's.

L4. **Dimensions**

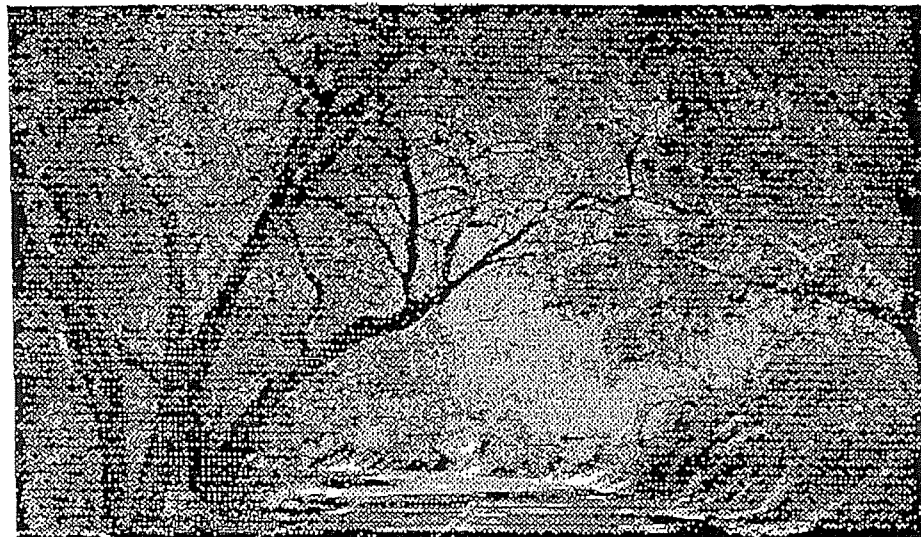
- a. **Top Width:** approx. 18 feet
- b. **Bottom Width:** n/a
- c. **Height or Depth:** n/a
- d. **Length of Segment:** approx. 5 miles

L5. **Associated Resources:** Culverts (See Continuation Sheet), rock walls, Earle School, Drake House, Atkinson's brother's Toll House (foundation), Friendly Farms Water Tower, Fernbrook House, Kitty's Cafe, Danny's Fishing Village, Keith House.

L6. **Setting:** This two-lane road winds roughly north to south from S.R. 67 in Ramona, terminating at the northern end of the San Vicente Reservoir. The road runs adjacent to the west branch of San Vicente Creek, through an interior live oak habitat and is heavily shaded by oaks.

L7. **Integrity Considerations:** Mussey Grade continues in use today with it's historic integrity intact. The area surrounding the road remains largely unchanged and the narrow width and numerous oaks that overhang it give a feeling of continuity with the area's rich past. Several historically significant buildings and numerous historic culverts and rock walls servicing the San Vicente Creek are still intact and in use. Approximately a two mile long portion of the road is submerged under the San Vicente Reservoir.

L8a. **Photograph, Map or Drawing**



L8.

Description of Photo: View of upper Mussey Grade, facing south.

L9.

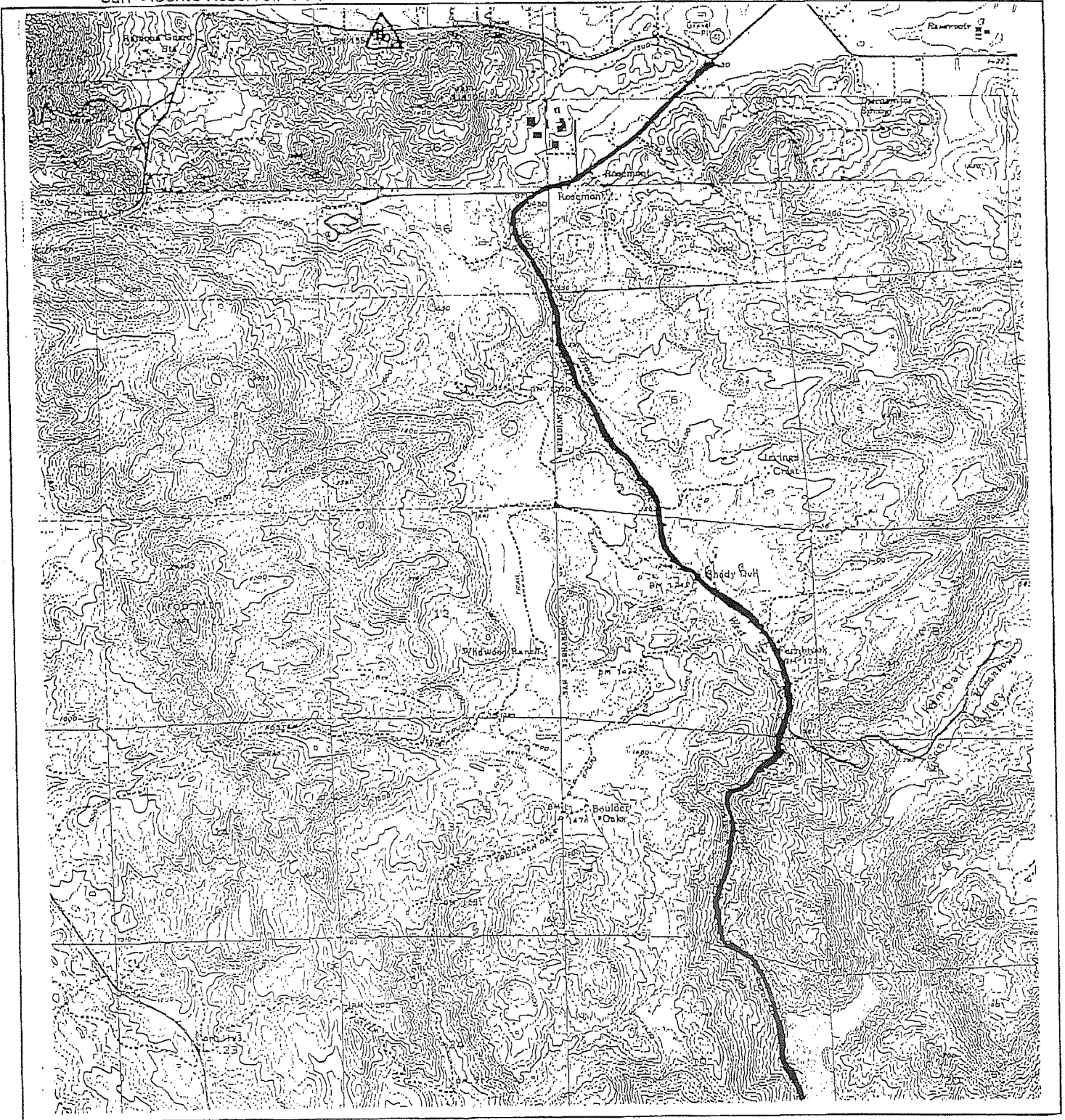
Remarks:

L10.

Form Prepared by:
Richard L. Carrico
Mooney & Associates,
9903-B Businesspark Avenue,
San Diego, CA 92131

L11.

Date: 24 February 2000



State of California — The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
**BUILDING, STRUCTURE, AND OBJECT
RECORD**

Primary # _____

Trinomial: _____

NRHP Status Code: _____

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Resource Name or #: (Assigned by recorder): Mussey Grade Rd.

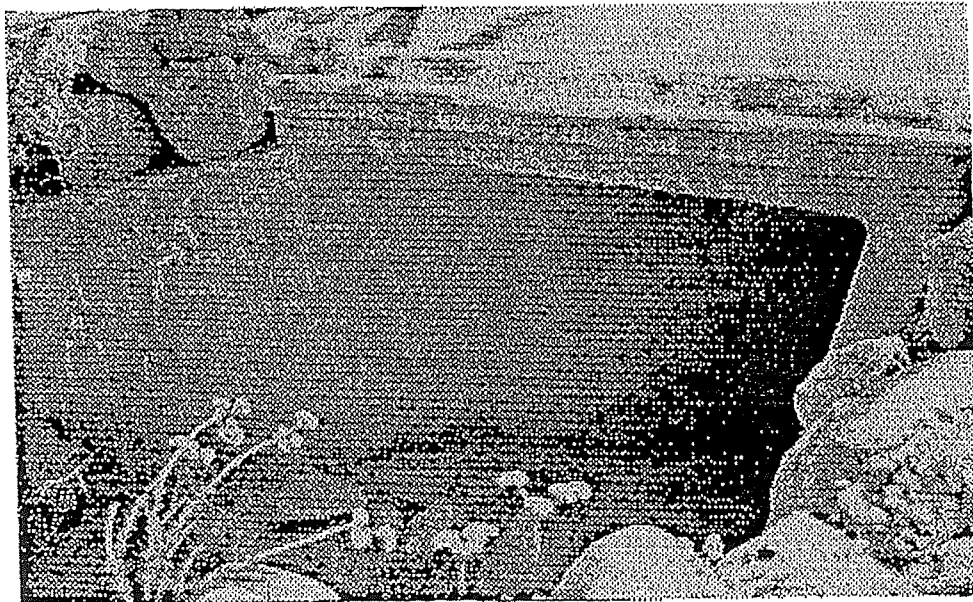
- B1. Historic Name: Mussey-Matthew Canon Road, Foster Rd., Ramona Avenue, Old Julian Highway
- B2. Common Name: Mussey Grade Road
- B3. Original Use: Wagon trail
- B4. Present Use: Two lane residential road
- B5. Architectural Style: Asphalt paved road
- B6. Construction History: (Construction date, alterations, and date of alterations) Dirt wagon trail originally constructed by County of San Diego in 1886, paved with concrete in 1926, asphalt topped since the 1950s.
- B7. Moved? ☒ No ☐ Yes ☐ Unknown Date: N/A Original Location: Same
- B8. Related Features: Multiple historic culverts and rock walls
- B9a. Architect: Unknown b. Builder:
- B10. Significance: Theme: Regional transportation Area: Ramona, San Diego County, California
Period of Significance: 1888 to present Property Type: Two-lane road Applicable Criteria:
(Discuss importance in terms of historical or architectural context as defined by theme, period, and geographic scope. Also address integrity.)
Mussey Grade was constructed by the County of San Diego in 1886 as an alternative to the Atkinson's brother's toll road. In 1926 the dirt wagon road was paved over with concrete to better serve motorized vehicles. In 1943, at a point approximately five miles south of the intersection with S.R. 6, the road was blocked and submerged by the construction of the San Vicente Reservoir. (See Continuation Sheet)
- B11. Additional Resource Attributes: (List attributes and codes) AH7, AH 15
- B12. References: LeMenager, Charles R., *Ramona and Roundabout*, Eagle Peak Publishing Company, San Diego, 1989.
- B13. Remarks:
- B14. Evaluator : Richard L. Carrico, RPA
Date of Evaluation: 24 February 2000

(Sketch Map with north arrow required.)

(This space reserved for official comments.)

- B 12. For over fifty years the road served as the primary link between San Diego and the back country. Bringing news, provisions and mail to the communities of Ramona, Julian, Warner's Ranch and others. Although the road is now asphalt paved and interrupted by the reservoir, the land surrounding the road is still largely undeveloped and looks much the same as it did when this road was still a two rut wagon trail. The road retains the historic location, narrow width, incidental vegetation, pastoral setting and rural feeling of it's heyday as the main artery between San Diego and Ramona. For these reasons, and because of the vital part played in the development of this community by Mussey Grade Road, it should be considered historically significant.
- L 5. Also of note is a large rectangular box-like culvert at the intersection of Mussey Grade and Fernbrook Drive. The culvert runs east/west under Mussey Grade. Constructed of cement in three 24' sections, the culvert was formed by 6" wood boards. The interior has rough floor and smooth walls and roof. The walls extend out approximately 12' from the central box to form diversionary arms. These arms are 10' high, stepped and jut out straight on the east side of the culvert and angled at approximately 60 degrees, 12' long and 10' high on the west side of the culvert. The interior dimensions of the central, or box portion of the culvert are as follows: 8' wide by 10' high and 48' long. The overall length of the structure is approximately 72'. A date stamp of 1937 is centered over the entrance to interior portions of the culvert on both sides. It is unknown who built the culvert, but speculation would suggest it was a possible WPA project. All measurements are approximations based on pace and visual estimates.

View of culvert facing southwest.



California Register of Historical Resources

Questions and Answers

The California Register of Historical Resources is an authoritative guide to the state's significant historical and archeological resources.

The State Historical Resources Commission has designed this program for use by state and local agencies, private groups and citizens to identify, evaluate, register and protect California's historical resources.

The California Register program encourages public recognition and protection of resources of architectural, historical, archeological and cultural significance, identifies historical resources for state and local planning purposes, determines eligibility for state historic preservation grant funding and affords certain protections under the California Environmental Quality Act.

What protection does listing in the California Register offer?

Listing in the California Register, or any other registration program in California, does not guarantee that a resource will not be altered or destroyed. Projects that will affect historical resources may be subject to review pursuant to the California Environmental Quality Act (CEQA). All projects carried out by public agencies are subject to environmental review (require preparation of an environmental impact report) as are projects involving privately owned properties when a discretionary permit or review is required. For questions related to a specific resource and CEQA review, please contact the local government or state agency with jurisdiction over the project.

How does the California Register define a historical resource?

For purposes of listing, a "historical resource" includes, but is not limited to, "any object, building, structure, site, area or place which is historically or archeologically significant, or is significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military or cultural annals of California" and which meets the criteria for listing. Historical resources of local, state and national significance may be eligible for listing in the California Register if they satisfy the criteria established by the State Historical Resources Commission for this program.

What are the criteria for listing a resource in the California Register?

Although the criteria for the California Register are similar to those used by the National Register of Historic Places, this new California Register will document the unique history of the Golden State. The resource must be significant at the local, state or national level under one or more of the following four criteria:

- 1) It is associated with events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the United States;

California Register of Historical Resources

Questions and Answers

- 2) It is associated with the lives of persons important to local, California or national history;
- 3) It embodies the distinctive characteristics of a type, period, region or method of construction, or represents the work of a master or possesses high artistic values; or
- 4) It has yielded, or has the potential to yield, information important to the prehistory or history of the local area, California or the nation.

How does a resource become listed in the California Register?

Resources may be added in three ways.

- 1) Some are listed automatically, including California State Historical Landmarks from number 770 onward and all properties listed on, or formally determined eligible for, the National Register of Historic Places.
- 2) State Historical Landmarks below number 770 and State Points of Historical Interest will be individually evaluated and recommended for listing on the California Register based on procedures to be developed by the State Historical Resources Commission.
- 3) Other resources can be nominated to the California Register by local governments, private organizations or citizens; these include individual resources, historical resources contributing to the significance of an historical district, resources identified in an historical resources survey with a significance rating of 1 to 5 and resources designated as local landmarks or listed by city or county ordinance.

How do we interpret historical resources survey information?

Historical resources inventories are the products of a survey process which identifies resources within a specific geographic area under defined parameters such as architectural style or historic context. Surveys that are over five years old should be updated to include more recent information. Categories 1-5 refer to the National Register status codes, a reference code used to indicate potential eligibility for the National Register of Historic Places. DPR form 523 will be used as the standard recordation form for the California Register. Questions regarding the planning and interpretation of historical resources surveys should be directed to:

Office of Historic Preservation
Jan Wooley, Coordinator of the
Historical Resources Survey and Inventory Program
calshpo.jan@quiknet.com.

California Register of Historical Resources

Questions and Answers

What is the relationship of the California Register to the California Environmental Quality Act?

The California Register serves as the authoritative guide to resources that are to be considered under CEQA. However, simply because a resource is not currently listed in the California Register does not mean that it is not an historical resource and is not subject to CEQA environmental review. Any resource that is eligible for listing in the California Register is also to be considered under CEQA. Therefore, the lead agency on a project must determine not only if the resource is listed, but also if it is eligible for listing.

How are local governments involved?

Local public agencies may assist in the nomination of resources to the California Register and may comment on nominations that originate from private groups or individuals within their jurisdictions. Applicants must inform local governments of resources within their jurisdictions that are being nominated for listing on the California Register.

Does the California Register affect property rights?

Historical resources nominated to the California Register may not be listed over the written notarized objection of the property owner. However, if an owner objects to a nomination, the resource may still be formally determined eligible for the California Register. Property owners must be notified, sent a copy of the nomination and provided the opportunity to comment upon the nomination.

What are the benefits of being listed in the California Register?

Local ordinances may provide benefits to property owners of listed resources, such as Mills Act local property tax incentives. Additionally, the State Historical Building Code mandates that reasonable alternatives be applied when the use of the Uniform Building Code threatens the historical integrity of a resource.

How do we evaluate archeological resources?

Archeological resources are historical resources pursuant to the California Register and may be eligible for listing. For the purposes of the California Register, DPR form 523 and its supporting documents will be considered in determining potential historical significance. Archeological resources should also be included in all new or updated surveys of local historical resources. Whenever a reference is made to "historical resource" it also includes archeological resources.

California Register of Historical Resources

Questions and Answers

Where do I get more information on local historical resources?

Regional Information Centers serve as branches of the California Historical Resources Information System under contract with the Office of Historic Preservation to provide information on historical resources. Each Center maintains a variety of survey and project files on historical and archeological resources and may also provide research, training and technical assistance on a fee for services basis. Information on archeological sites may be restricted under state or federal law in order to protect the resource. A description of this program and list of Information Centers is included in the *Instructions for Nominating Historical Resources to the California Register*.

How can I get more information on the California Register of Historical Resources?

Contact the Information Center that serves your county or Jenan Saunders, California Register Coordinator, at the following:

Office of Historic Preservation
Department of Parks and Recreation
Jenan Saunders, California Register Coordinator
P.O. Box 942896, Sacramento CA 94296-0001,

PHONE: (916) 653-9432,
FAX: (916) 653-9824
EMAIL: calshpo.jenan@quiknet.com



**OFFICE OF HISTORIC PRESERVATION
DEPARTMENT OF PARKS AND RECREATION**



P.O. BOX 942896
SACRAMENTO, CA 94296-0001
(916) 653-6624 Fax: (916) 653-9824
calshpo@ohp.parks.ca.gov

**California Office of Historic Preservation
Technical Assistance Series #10**

**California State Law and Historic Preservation:
Statutes, Regulations and Administrative Policies Regarding
Historic Preservation and Protection of Cultural and
Historical Resources**

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WEST'S ANNOTATED CALIFORNIA CODES
PUBLIC RESOURCES CODE
DIVISION 5. PARKS AND MONUMENTS
CHAPTER 1. STATE PARKS AND MONUMENTS
ARTICLE 2. HISTORICAL RESOURCES

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Current through end of 1999-2000 Reg.Sess.
and 1st Ex.Sess. and Nov. 7, 2000, election.

§ 5024.1. **Register of historical resources**; criteria; eligible properties; nomination procedures; notice

(a) A **California Register of Historical Resources** is hereby established. The **California Register** is an authoritative guide in **California** to be used by state and local agencies, private groups, and citizens to identify the state's **historical resources** and to indicate what properties are to be protected, to the extent prudent and feasible, from substantial adverse change. The commission shall oversee the administration of the **California Register**.

(b) The **California Register** shall include **historical resources** determined by the commission, according to procedures adopted by the commission, to be significant and to meet the criteria in subdivision (c).

(c) A resource may be listed as an **historical resource** in the **California Register** if it meets any of the following **National Register of Historic Places** criteria:

(1) Is associated with events that have made a significant contribution to the broad patterns of **California's history** and cultural heritage.

(2) Is associated with the lives of persons important in our past.

(3) Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values.

(4) Has yielded, or may be likely to yield, information important in prehistory or **history**.

(d) The **California Register** shall include the following:

(1) **California** properties formally determined eligible for, or listed in, the **National Register of Historic Places**.

(2) State **Historical Landmark** No. 770 and all consecutively numbered state **historical landmarks** following No. 770. For state **historical landmarks** preceding No. 770, the office shall review their eligibility for the **California Register** in accordance with procedures to be adopted by the commission.

(3) **Points of historical interest** which have been reviewed by the office and recommended for listing by the commission for inclusion in the **California Register** in accordance with criteria adopted by the commission.

(e) If nominated for listing in accordance with subdivision (f), and determined to be significant by the commission, the **California Register** may include the following:

(1) Individual **historical resources**.

(2) **Historical resources** contributing to the significance of an historic district under criteria adopted by the commission.

(3) **Historical resources** identified as significant in **historical resources surveys**, if the survey meets the criteria listed in subdivision (g).

(4) **Historical resources** and **historic districts** designated or listed as city or county landmarks or **historic properties** or districts pursuant to any city or county ordinance, if the criteria for designation or listing under the ordinance have been determined by the office to be consistent with **California Register** criteria adopted by the commission.

(5) Local landmarks or **historic properties** designated under any municipal or county ordinance.

(f) A resource may be nominated for listing as an historical resource in the **California Register** in accordance with nomination procedures adopted by the commission, subject to all of the following:

(1) If the applicant is not the local government in whose jurisdiction the resource is located, a notice of nomination in the form prescribed by the commission shall first be submitted by the applicant to the clerk of the local government. The notice shall request the local government to join in the nomination, to provide comments on the nomination, or if the local government declines to join in the nomination or fails to act upon the notice of nomination within 90 days, the nomination may be submitted to the office and shall include any comments of the local government.

(2) Prior to acting on the nomination of a survey, an individual resource, an **historic district**, or other resource to be added to the **California Register**, the commission shall notify property owners, the local government in which the resource is located, local agencies, other interested persons, and members of the general public of the nomination and provide not less than 60 calendar days for comment on the nomination. The commission shall consider those comments in determining whether to list the resource as an historical resource in the **California Register**.

(3) If the local government objects to the nomination, the commission shall give full and careful consideration to the objection before acting upon the nomination. Where an objection has been raised, the commission shall adopt written findings to support its determination concerning the nomination. At a minimum, the findings shall identify the historical or cultural significance of the resource, and, if applicable, the overriding significance of the resource that has resulted in the resource being listed in the **California Register** over the objections of the local government.

(4) If the owner of a private property or the majority of owners for an historic district or single property with multiple owners object to the nomination, the commission shall not list the property as an historical resource in the **California Register** until the objection is withdrawn. Objections shall be submitted to the commission by the owner of the private property in the form of a notarized statement certifying that the party is the sole or partial owner of the property, and that the party objects to the listing.

(5) If private property cannot be presently listed in the **California Register** solely because of owner objection, the commission shall nevertheless designate the property as eligible for listing.

(g) A resource identified as significant in an historical resource survey may be listed in the **California Register** if the survey meets all of the following criteria:

(1) The survey has been or will be included in the State Historic Resources Inventory.

(2) The survey and the survey documentation were prepared in accordance with office procedures and requirements.

(3) The resource is evaluated and determined by the office to have a significance rating of Category 1 to 5 on DPR Form 523.

(4) If the survey is five or more years old at the time of its nomination for inclusion in the **California Register**, the survey is updated to identify historical resources which have become eligible or ineligible due to changed circumstances or further documentation and those which have been demolished or altered in a manner that substantially diminishes the significance of the resource.

(h) Upon listing an historical resource or determining that a property is an historical resource that is eligible for listing, in the **California Register**, the commission shall notify any owner of the historical resource and also the county and city in which the historical resource is located in accordance with procedures adopted by the commission.

(i) The commission shall adopt procedures for the delisting of historical resources which become ineligible for listing in the California Register.

CREDIT(S)

2001 Electronic Pocket Part Update

(Added by Stats.1992, c. 1075 (A.B.2881), § 4.)

<General Materials (GM) - References, Annotations, or Tables>

HISTORICAL AND STATUTORY NOTES

2001 Electronic Pocket Part Update

1992 Legislation

Letter from legislator regarding A.B.2881 (Stats.1992, c. 1075), see **Historical** and Statutory Notes under **Public Resources Code** § 5020.1.

NOTES OF DECISIONS

Register of resources 2
Restrictions on use 1

1. Restrictions on use

Mere listing of private property on State **Historical Resources** Inventory, based on its being "eligible" for listing on National **Historic Register**, is not by itself a substantive restriction on owner's use of property. *Prentiss v. City of South Pasadena* (App. 2 Dist. 1993) 18 Cal.Rptr.2d 641, 15 Cal.App.4th 85, rehearing denied, review denied.

2. Register of resources

Buildings to be demolished as part of proposed low-income housing project were not "**historic resources**"

within meaning of **California** Environmental Quality Act's (CEQA) presumption of significance of "**historic structures**" so as to require environmental impact report (EIR) for any project adversely changing such **resources**, absent listing of buildings in state or local register of "**historic resources**" or in survey of "**historic resources**" that was less than five years old or had been updated. *Citizens for Responsible Development v. City of West Hollywood* (App. 2 Dist. 1995) 45 Cal.Rptr.2d 917, 39 Cal.App.4th 490, as modified.

West's Ann. Cal. Pub. Res. Code § 5024.1

CA PUB RES § 5024.1

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